
(2025) 12 UK CK 0008

Uttarakhand HC

Case No: First Bail Application No. 2384 Of 2025

Piyush Rawat

APPELLANT

Vs

State Of Uttarakhand

RESPONDENT

Date of Decision: Dec. 12, 2025

Acts Referred:

- Narcotic Drugs And Psychotropic Substances Act, 1985 - Section 2(viia), 2(xiiia), 8, 20

Hon'ble Judges: Alok Kumar Verma, J

Bench: Single Bench

Advocate: Lokendra Dobhal, Tumul Nainwal, Chitrarth Kandpal

Final Decision: Allowed

Judgement

Alok Kumar Verma, J

1. The applicant Piyush Rawat is in judicial custody for the offence punishable under Section 8 read with Section 20 of the Narcotic Drugs and Psychotropic Substances Act, 1985 (in short, Act, 1985) in Case Crime No.39 of 2025, registered at Police Station Chamba, District Tehri Garhwal.

2. According to the First Information Report, on 03.11.2025, the applicant was apprehended by the police on suspicion. He was searched. The police recovered 700 gm. charas from his bag. He was arrested.

3. Heard Mr. Lokendra Dobhal, learned counsel for the applicant and Mr. Tumul Nainwal, learned Assistant Government Advocate for respondent.

4. Mr. Lokendra Dobhal, Advocate, for the applicant has contended that the applicant is an innocent person. He has been falsely implicated by the police. The alleged charas was not recovered from his possession. There was no independent witness at the time of the alleged recovery from the applicant. This fact also supports the submission of the applicant. Applicant is a permanent resident of District Uttarkashi, therefore, there is no possibility of his absconding, and, the

alleged recovered contraband does not fall under the category of commercial quantity.

5. Mr. Tumul Nainwal, Assistant Government Advocate, has opposed the bail application orally. However, on instruction, he submitted that the applicant has no criminal antecedents.

6. As per Table prepared in terms of Section 2 (xxiii-a) and Section 2 (vii-a) of the Act, 1985, 100 gm. of charas is small quantity and greater than 1 kg. is commercial quantity (Entry No.23).

7. The object of keeping the accused in detention during the trial is not punishment. The main purpose is manifestly to secure the attendance of the accused.

8. Having considered the submissions of learned counsel for both the parties and in the facts and circumstances of the case, without expressing any opinion as to the merits of the case, this Court is of the view that the applicant deserves bail at this stage.

9. The Bail Application is allowed.

10. Let the applicant Piyush Rawat be released on bail on his executing a personal bond and furnishing two reliable sureties, each in the like amount, to the satisfaction of the court concerned.